

IN THE MATTER OF THE APPLICATION OF DENNIS W. LEGO, ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE NORTHEAST SIDE OF DUNDAN ROAD, COR. LAWHURST ROAD (9659 DUNDAN ROAD) 11TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 90-508-A

OPINION

This matter comes before the Board on an appeal from the decision of the Deputy Zoning Commissioner granting the requested variance permitting a rear property line setback of 6" in lieu of the minimum requirement of 2.5' and a side street property line setback of 9" in lieu of the corner lot requirement that the third of the lot farthest removed from any street be used for the placement of a shed. This appeal was noted by Mr. and Mrs. Hugh L. Hall and the property owners requesting the variance are Mr. and Mrs. Dennis W. Lego.

A Hearing was held de novo in this matter. The Board heard from Mr. John H. Jones, a long-time resident of the community, who testified that for at least 25 years there has been a shed at this location in the rear yard of the Lego property. He remembers that the former owner of the property has placed a shed in that location and that the structure has been replaced at least three times during the past 25 years. He testified as to the terrible water runoff problem in that area and that in his belief, the location of the shed was in its best possible place.

The co-owner of the property Ms. Luise Lego told the Board that she has been co-owner of the property for the past 17 years

Dennis W. Lego, et ux, Case No. 90-508-A

and described the water runoff from adjacent properties and how it flows into a gully in their rear yard and drains toward the back. She testified that the water is in such volumes in the rear yard that a duck inhabited the yard for some period of time. The water problem according to Ms. Lego caused damage to her patio and sidewalk located on the side street. Photographs evidencing water difficulties were submitted to the Board as well as a drawing indicating how the runoff occurs.

Mr. Dennis Lego echoed the testimony of his wife and indicated that he has replaced the shed twice and placed fencing next to the shed. The rear yard according to the photographs appears to be kept in extremely fine condition and the yard and the shed appear to be well cared for. The Board received from Mr. Lego a petition with numerous signatures from the neighbors that this structure can and should remain at its present location due to the water runoff problems. Mr. Lego indicated that to remove the shed would present practical difficulty and undue hardship as he would have to place the shed in an area which is constantly subject to flooding and placing it in another area would require the digging of a swale at great expense. Protestant/Appellant, Mr. Hugh Hall, advised the Board that he is the neighbor of the Legos whose back yard joins their back yard. He also has a shed in the corner of his yard. However, it is located in the portion of the yard furthest away from the side street. He indicates that he feels the water problem is not as severe as the Legos indicate and they would experience no practical difficulty or undue hardship by moving the shed to the

Dennis W. Lego, et ux, Case No. 90-508-A

rear portion of the yard. He is further concerned that the shed contains possible flammable liquids which are located less than a safe distance from his truck and boat which he parks in a special driveway adjacent to the Legos' shed.

After a consideration of the testimony and evidence presented, it is the opinion of the Board that the Legos would indeed suffer practical difficulty and undue hardship should they be required to remove this shed from its existing position and relocate it in the rear portion of the yard away from the side street.

ORDER

It is therefore, this 28th day of February, 1991 by the County Board of Appeals of Baltimore County ORDERED that the requested Petition for Zoning Variance to permit a rear property line setback of 6" in lieu of the minimum requirement of 2.5' and a side street property line setback of 9" in lieu of the corner lot requirement that the third of the lot farthest removed from any street be used is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Arnold G. Foreman, Acting Chairman

Lynn B. Moreland

John G. Disney

IN RE: PETITION FOR ZONING VARIANCE
NE/S Dundan Road, Corner of
Lawnhurst Road
(9659 Dundan Road)
11th Election District
5th Councilmanic District
Dennis W. Lego, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-508-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear property line setback of 6 inches in lieu of the minimum required 2.5 feet and a side street property line setback of 9 inches in lieu of the corner lot requirement that the third of the lot farthest removed from any street be used, for a proposed shed in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was John H. Jones, a nearby resident. Appearing as a Protestant in the matter was Hugh L. Hall, represented by Nicholas J. Pistolas, Esquire.

Testimony indicated that the subject property, known as 9658 Dundan Road, consists of 8,539 sq.ft. zoned D.R. 5.5 and is improved with a single family dwelling which has been the Petitioners' residence for the past 16 years. Petitioners filed the instant Petition as a result of being cited for a zoning violation for the subject shed. Mr. Lego testified that at the time of his purchase of the subject property, a shed slightly smaller than the existing 10' x 12' shed was located on the property in the same vicinity. Subsequently, Petitioners removed the original shed and built an 8' x 12' shed, which was removed approximately four months ago and replaced with the existing 10' x 12' shed. The subject shed is a movable wood shed which has been placed on cinder blocks. Cur-

ORDER RECEIVED FOR FILING
Date
By

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-508-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 To allow 6 inch setback in lieu of 2.5 feet required from rear property line and 9 inch setback on side street property line in lieu of a corner lot requirement that the third of the lot farthest removed from the street be used.

SEE WRITTEN DECEPTION

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
(Type or Print Name)
Address
City and State
Attorney's Telephone No.:

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 16 day

of May, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 6th day of July, 1990, at 2 o'clock

M. J. Robert Hines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date
By

rently, the shed, including its gutters, is located on the property line. If the requested variances are granted, Petitioner will move the shed to 6 inches off the property line. Mr. & Mrs. Lego testified that the proposed site is the most practical location for the shed due to severe storm water runoff problems in the rear yard. To support their position, Petitioners introduced eight (8) photographs taken after rainfall, marked Petitioner's Exhibits 3, which depict a water runoff problem at the site. In response to cross examination regarding moving the shed to the opposite side of the subject property, Petitioners testified that to do so, in their opinion, would result in a greater water runoff problem. Testimony indicated that Petitioners' property is lower than the adjoining properties which aggravates their water runoff problems.

John Jones, who resides at 9649 Dundan Road, appeared and testified on behalf of the Petition. He testified that he moved to the area in 1964 at which time a shed existed on the subject property in the same vicinity as the existing shed. Mr. Jones testified that to the best of his knowledge a shed has continuously existed on the property since 1964. Further, Mr. Jones concurred with the testimony of the Lego's regarding the practical difficulty which would be suffered by them if required to strictly comply with the zoning regulations.

Hugh Hall testified in opposition to the relief requested. He testified that he has lived behind the subject property at 4115 Hahlston Road for the past 6 years. Through cross examination, Mr. Hall testified that in his opinion, the shed could be moved to the opposite side of the subject property and Petitioners could pursue alternative means to correct the water runoff problems, including, but not limited to, placement of a swale in their rear yard.

ORDER RECEIVED FOR FILING
Date
By

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested should be granted. It is clear from the testimony of both sides, that the communication lines between Petitioners and the Protestant have broken down. However, it is equally clear from the testimony that practical difficulty exists peculiar to the subject property due to the water runoff problems it currently experiences. The granting of the relief requested would not be contrary to the spirit of the B.C.Z.R. in this instance and would not result in substantial detriment to the public health, safety, and general welfare. It has been established that a shed has existed in the location proposed for many years without prior complaint or detriment to the community. Further, the photographs presented indicate that the subject shed does not present a safety or visibility hazard for traffic on the street it abuts.

ORDER RECEIVED FOR FILING
Date
By

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of July, 1990 that the Petition for Zoning Variance to permit a rear property line setback of 6 inches in lieu of the minimum required 2.5 feet and a side street property line setback of 9 inches in lieu of the corner lot requirement that the third of the lot farthest removed from any street be used, for a proposed shed in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their shed permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded and Petitioners would be required to bring the property into compliance with the zoning regulations.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date
By

REQUEST FOR VARIANCE OF MOVEABLE UTILITY SHED

373
90-508-A

When it rains or snows, there is an intolerable drainage problem in the rear of our property (9658 Dundawan Road). About (7) seven of the properties on our side of the street and (5) five properties in the back of our property ultimately drain onto our back yard. When it rains normally, a two foot wide stream of water is created towards the entire back of our property. This becomes a large stream about (6) six feet wide and from 8 to 10 inches deep when there are heavy rains or snows (about 10 to 15 times yearly), flooding a large part of the property in the rear. If we were to place the shed the required distance from the property line, the water would run through the shed and cause a backup effect on our property. At the present time, the water flows right in front of the shed unimpeded, then into the street. I have had a shed in its present location for fifteen years, as do many of the neighbors on our side of the street, because of the water problem.

The natural topography of the land rises in the area in which the shed now resides, which keeps this spot reasonably dry. With the shed six inches from the line, the water is able to drain unimpeded within the normal one or two days, minimizing a possible larger problem of runoff and additional flooding.

We have tried to determine another location for the shed, but because we have very little room, any other placement would detract not only from our property, but the overall neighborhood as well.

We would request that our variance petition be granted.

ZONING DESCRIPTION

90-508-A

BEGINNING AT A POINT ON THE NORTHWEST SIDE OF DUNDAWAN RD. WHICH IS 50 FEET OF RIGHT-OF-WAY WIDTH AT THE DISTANCE OF 25' OF FEET OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET LAWNHURST WHICH IS 50' OF FEET OF RIGHT-OF-WAY WIDTH. BEING LOT #1, BLOCK D, SECTION #3, IN THE SUBDIVISION OF PECKY HALL ESTATES AS RECORDED IN BALTIMORE COUNTY PLAT BOOK #26, FOLIO # 146, CONTAINING 8539 OF TOTAL SQUARE FEET OR ACRES IN LOT. ALSO KNOWN AS 9658 DUNDAWAN ROAD AND LOCATED IN THE # 11 ELECTION DISTRICT.

#373

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 7, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Olson
Publisher

DO 104668

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
Account: R-001-6150
Number
Ne 2240

Date 4/23/90
PUBLIC HEARING FEES QTY PRICE
010 -ZONING VARIANCE (IRL) 1 X \$35.00
LAST NAME OF OWNER: LEGGO TOTAL: \$35.00

B 812E*****350018 6248F
Please make checks payable to Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 4/15/90
Posted for: Dennis M. Lego, et ux
Petitioner: Dennis M. Lego, et ux
Location of property: NE/S Dundawan Rd., Cor. of Lawnhurst Rd.
Location of Sign: NE/S Dundawan Rd., Cor. of Lawnhurst Rd.
Remarks: Property of P. B. Haines
Posted by: [Signature] Date of return: 4/22/90
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 13, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 7, 1990.

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:
Petition for Zoning Variance
Case number: 90-508-A
NE/S Dundawan Road, Corner of Lawnhurst, Lot #1
11th Election District
5th Councilmanic District
Petitioner(s): Dennis M. Lego, et ux
Hearing Date: Friday, July 6, 1990 at 2:00 p.m.
Variance: To allow 8 inch setbacks in lieu of 5 feet required from rear property line and 8 inch setbacks on side street property line in lieu of a corner lot requirement that the shed of the lot be removed from the street by 5 feet.
In the event that this Petition is granted, a building permit may be issued within the 30 day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the appeal period for good cause shown. Such request must be in writing and presented in this office by the date of the hearing and shown or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NEAUS025 June 7, 1990

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 7/16/90
Posted for: Dennis M. Lego, et ux
Petitioner: Dennis M. Lego, et ux
Location of property: NE/S Dundawan Rd., Cor. of Lawnhurst Rd.
Location of Sign: NE/S Dundawan Rd., Cor. of Lawnhurst Rd.
Remarks: Property of P. B. Haines
Posted by: [Signature] Date of return: 7/17/90
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 7/2/90

Dennis F. Ramussen
County Executive

Pc. & Mrs. Dennis M. Lego
9658 Dundawan Road
Baltimore, Maryland 21236
Res Petition for Zoning Variance
CASE NUMBER: 90-508-A
Petitioner(s): Dennis M. Lego, et ux
HEARING: FRIDAY, JULY 6, 1990 at 2:00 p.m.
NE/S Dundawan Road, Corner of Lawnhurst, Lot #1
9658 Dundawan Road
11th Election District - 5th Councilmanic

Dear Mr. & Mrs. Lego:

Please be advised that \$109.49 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number
A9100015
Ne 3169
90-508-A

Date 8/13/90
APPEAL FEES QTY PRICE
140 -OF ALL OTHER ORDERS 1 X \$125.00
150 -POSTING SIGNS / ADVERTISING 1 X \$25.00
TOTAL: \$150.00
LAST NAME OF OWNER: LEGGO

04A04#0102MCHRC \$150.00
BA C01131AM08-13-90
Please make checks payable to Baltimore County

Cashier Validation:

NICHOLAS J. PISTOLAS
ATTORNEY AT LAW
608 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
AREA CODE (301) 825-3000
FAX (301) 321-8006

August 8, 1990

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

RE: Petition for Zoning Variance
NE/S Dundawan Road, Corner of Lawnhurst
(9658 Dundawan Road)
11th Election District
5th Councilmanic District
Dennis Lego, et ux-Petitioners
Case NO. 90-508-A

Gentlemen:
Please be advised this office represents Hugh L. Hall with regard to the above captioned matter.

I request that an appeal be noted to the County Board of Appeals from a decision rendered by Ann M. Nastarowicz dated July 24, 1990. Enclosed herewith please find my check in the amount of \$150.00 in payment of the advance costs.

Very truly yours,
Nicholas J. Pistolas
Nicholas J. Pistolas

NJP:tri
Enclosure

PAYMENT
8-8-90
ZONING OFFICE

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number
Ne 1839

Date 7/6/90
Dennis M. Lego, et ux
Posting and Advertising \$109.49

04A04#0102MCHRC \$109.49
BA C00106PNO7-06-90
Please make checks payable to Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 21, 1990



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 90-508-A
Petitioner(s): Dennis W. Lego, et ux
HEARING: FRIDAY, JULY 6, 1990 at 2:00 p.m.
NE/S Dundawan Road, Corner of Lawhurst, Lot #1
9658 Dundawan Road
11th Election District - 5th Councilmanic

Variance to allow 6 inch setback in lieu of 2.5 feet required from rear property line and 9 inch setback on side street property line in lieu of a corner lot requirement that the third of the lot farthest removed from the street be used.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. & Mrs. Lego

Long Hall 6/4/90

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 22, 1990



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Dennis W. Lego
9658 Dundawan Road
Baltimore, MD 21236

RE: Item No. 373, Case No. 90-508-A
Petitioner: Dennis W. Lego, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Lego:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
16th day of May, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Dennis W. Lego, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Dennis W. Lego, et ux, Item No. 373

The Petitioners request a Variance to setback requirements for the placement of a shed on their property.

In reference to this request, staff offers the following comments:

- This office has no objection to the proposed variances. However, it should be restricted so that it not be permanently affixed in the 10 ft. drainage and utility easement.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

May 24, 1990



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 353, 361, 373, 374, 375, 376, 377, 378 and 379.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Raincke
Chief

MAY 10, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DENNIS W. LEGO

Location: #9658 DUNDAWAN ROAD

Item No.: 373 Zoning Agenda: MAY 15, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Raincke* Noted and Approved *W. F. Dwyer*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 24, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 15, 1990

The Developers Engineering Division has reviewed the subject zoning item and we have no comments for Items 353, 361, 374, 377 and 379.

For Items 375 and 376, the previous County Review Group Comments still apply.

For Item 373, the shed shown in the easement is acceptable if not permanent (on a concrete base).

For Item 378, the lot is parallelogram. If the house is not built square to the side lot lines, the northern-most corner of the house will have much less than a 10-foot side yard.

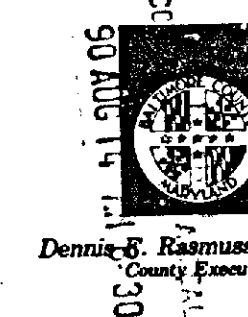
Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 13, 1990



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
NE/S Dundawan Road, Corner of Lawhurst Road
(9658 Dundawan Road)
11th Election District, 5th Councilmanic District
DENNIS W. LEGO, ET UX - Petitioner
Case No. 90-508-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on August 9, 1990 by Nicholas J. Pistolas, Attorney on behalf of Hugh L. Hall, Protestant. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. & Mrs. Dennis W. Lego
9658 Dundawan Road, Baltimore, MD 21236

Nicholas J. Pistolas, Esquire
608 Baltimore Avenue, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, MD. 21204

File

APPEAL

Petition for Zoning Variance
NE/S Dundawan Road, Corner of Lawnhurst Road
(9658 Dundawan Road)
11th Election District - 5th Councilmanic District
DENNIS W. LEGO - Petitioner
Case No. 90-508-A

Petition for Zoning Variance
Description of Property
Certificate of Posting
Certificate of Publication
Entry of Appearance of People's Counsel (None submitted)
Zoning Plans Advisory Committee Comments
Director of Planning & Zoning Comments
Zoning Enforcement Violation Notice
Petitioner's Exhibits: 1. Plat to accompany Petition
2. & 3. Photographs of shed and rear yard
Protestant's Exhibits: 1. Drawing of dwelling and shed locations
2. Photographs of shed
Deputy Zoning Commissioner's Order dated July 24, 1990 Granted
Notice of Appeal received August 8, 1990 from Nicholas J. Pistolas,
Attorney on behalf of Hugh L. Hall
cc: Mr. & Mrs. Dennis W. Lego
9658 Dundawan Road, Baltimore, MD 21236
Nicholas J. Pistolas, Esquire
608 Baltimore Avenue, Towson, MD 21204
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204
Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer June 8, 1990
Zoning Supervisor
FROM: James H. Thompson
Zoning Enforcement Coordinator
RE: Item No. 373
Petitioner: Dennis & Luise Lego

VIOLATION CASE # C-90-1918
LOCATION OF VIOLATION 9658 Dundawan Road
DEFENDANT LEGO

Please be advised that the aforementioned petition is the subject
of an active violation case. When the petition is scheduled for a
public hearing, please notify the following persons:

NAME	ADDRESS
Lenny Hall	4115 Kahlston Rd 21236
H 529-1689	W 337-4747

After the public hearing is held, please send a copy of the Zoning
Commissioner's Order to the Zoning Enforcement Coordinator, so that the
appropriate action may be taken relative to the violation case.

esh/



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

February 28, 1991

Nicholas J. Pistolas, Esquire
608 Baltimore Avenue
Towson, Maryland 21204

Re: Case No. 90-508-A (Dennis W. Lego, et ux)

Dear Mr. Pistolas:

Enclosed please find a copy of the final Opinion and Order
issued this date by the County Board of Appeals of Baltimore County
in the subject matter.

Sincerely,

Lindalee M. Kuszmaul
Lindalee M. Kuszmaul
Legal Secretary

Enclosure

cc: Mr. and Mrs. Dennis W. Lego
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

8/23/90 - Following parties notified of hearing set for February 19, 1991 at
1:00 p.m.:

Nicholas J. Pistolas, Esquire
Mr. Hugh L. Hall
Mr. and Mrs. Dennis W. Lego
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Nicholas J. Pistolas</i>	<i>4115 Kahlston Rd</i>
<i>608 Baltimore Ave</i>	<i>Atty Gen Hugh Hall</i>
<i>21204</i>	

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>James E. Dyer</i>	<i>9658 Dundawan Rd</i>
<i>Luise Lego</i>	<i>9658 Dundawan Rd</i>
<i>John H. Lego</i>	<i>9649 Dundawan Rd</i>

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
HEARING ROOM - Room 301 (301) 887-3180
County Office Building August 23, 1990

NOTICE OF ASSIGNMENT

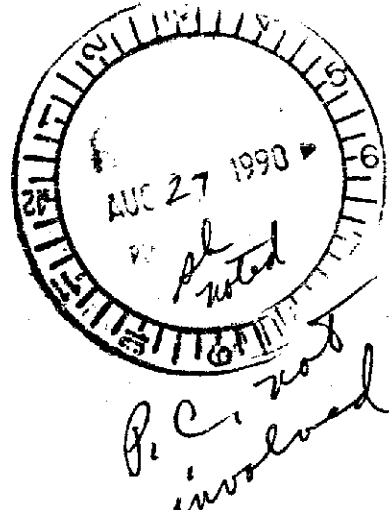
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND
IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS
WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING
DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL
BILL NO. 59-79.

CASE NO. 90-508-A DENNIS W. LEGO, ET UX
NE/S Dundawan Rd., Cor/Lawnhurst Rd.
(9658 Dundawan Rd.)
11th Election District
5th Councilmanic District
VAR-Rear yard setback of 6" in lieu
of 2.5'; side street setback.
7/24/90 - D.Z.C.'s Order GRANTING
Petition.

ASSIGNED FOR: TUESDAY, FEBRUARY 19, 1991 at 1:00 P.M.

cc: Nicholas J. Pistolas, Esquire Counsel for Protestant/
Appellant
Mr. Hugh L. Hall Protestant/Appellant
Mr. and Mrs. Dennis W. Lego Petitioners
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

Lindalee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
HEARING ROOM - Room 301 (301) 887-3180
County Office Building August 23, 1990

NOTICE OF ASSIGNMENT

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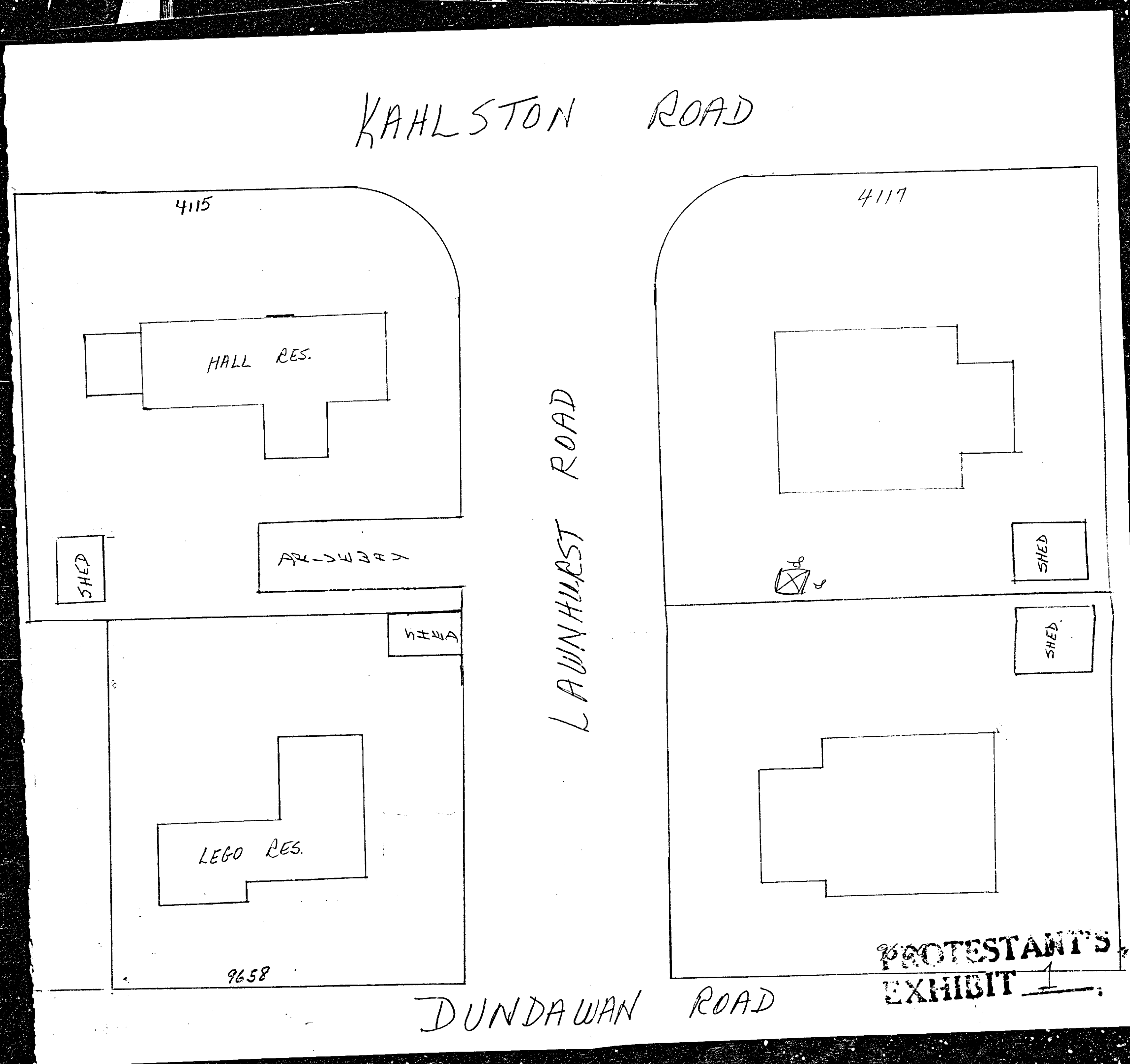
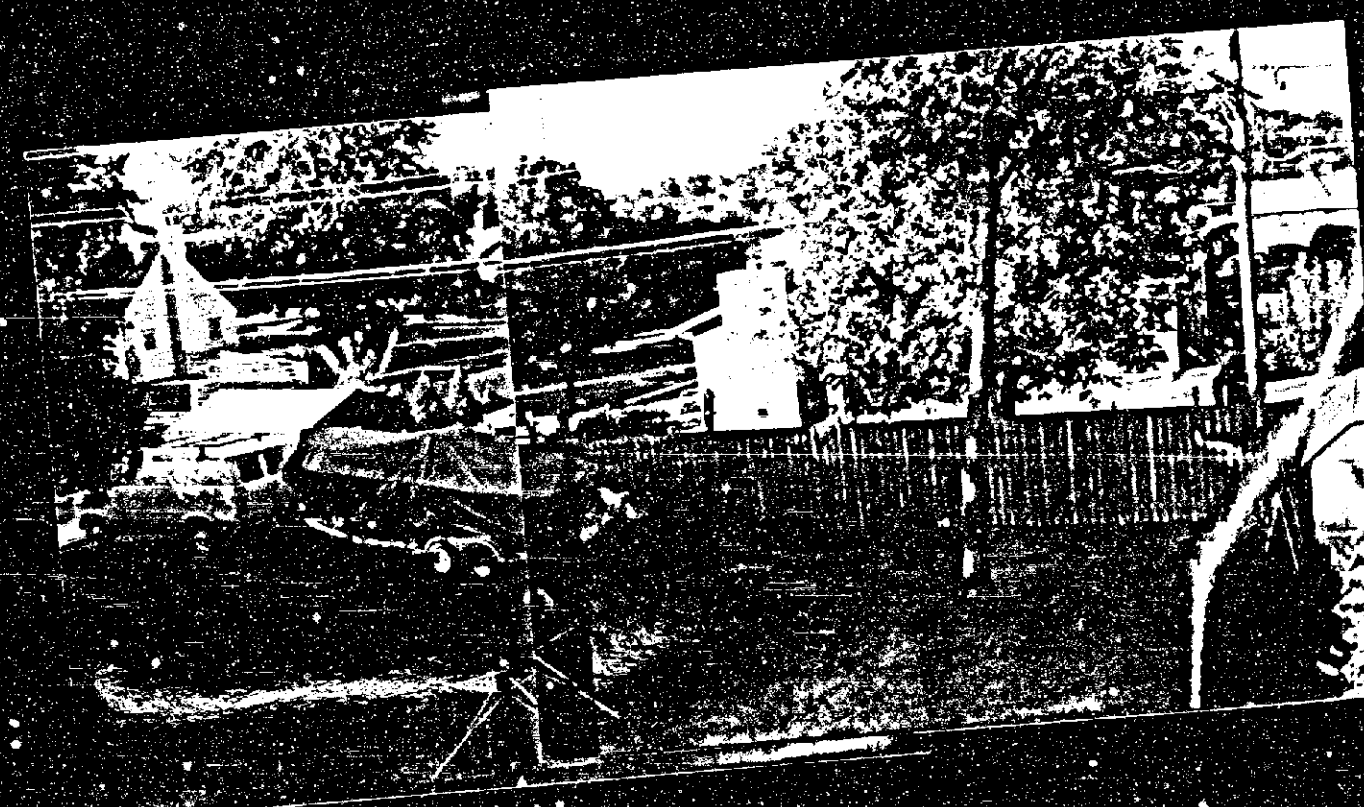
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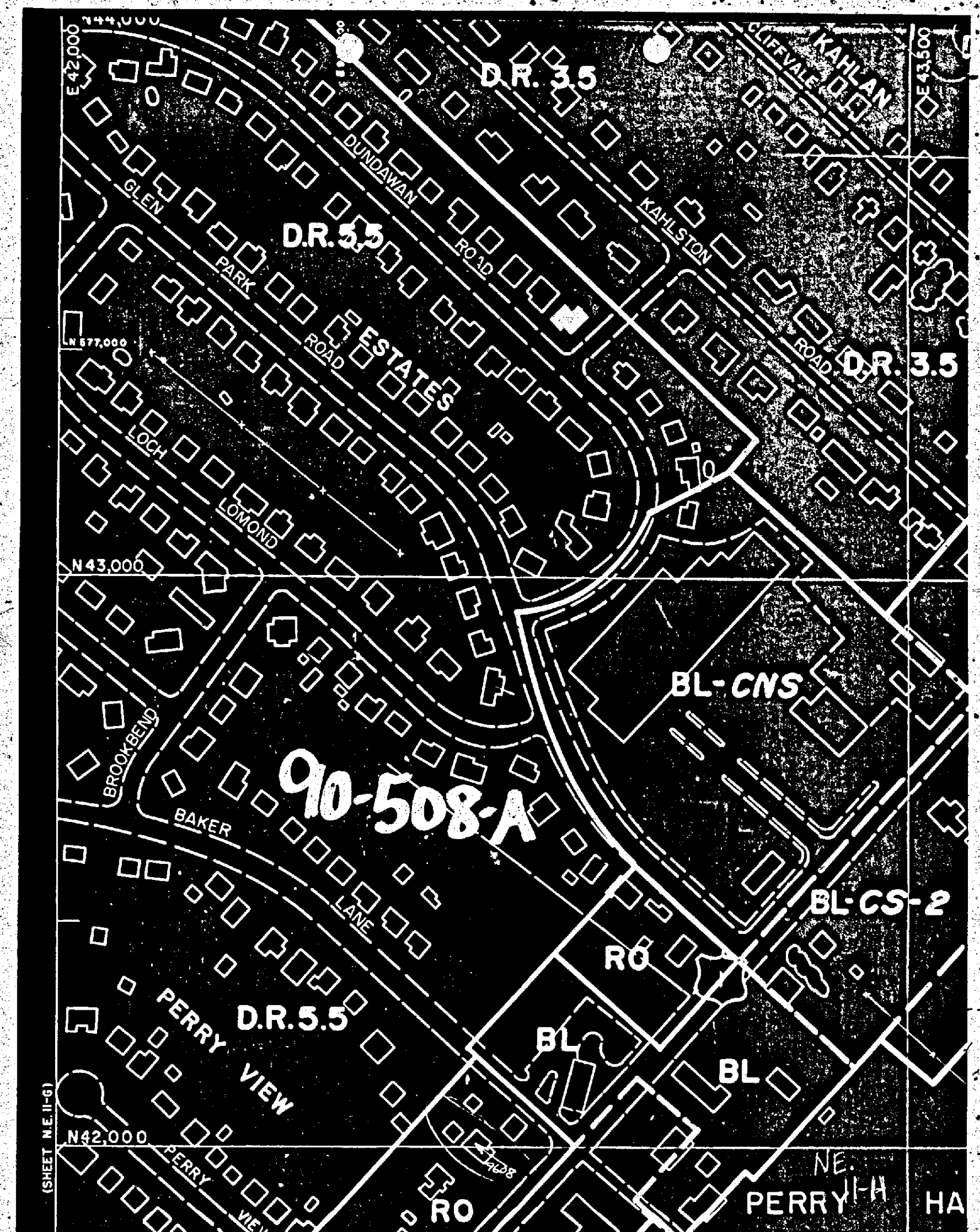
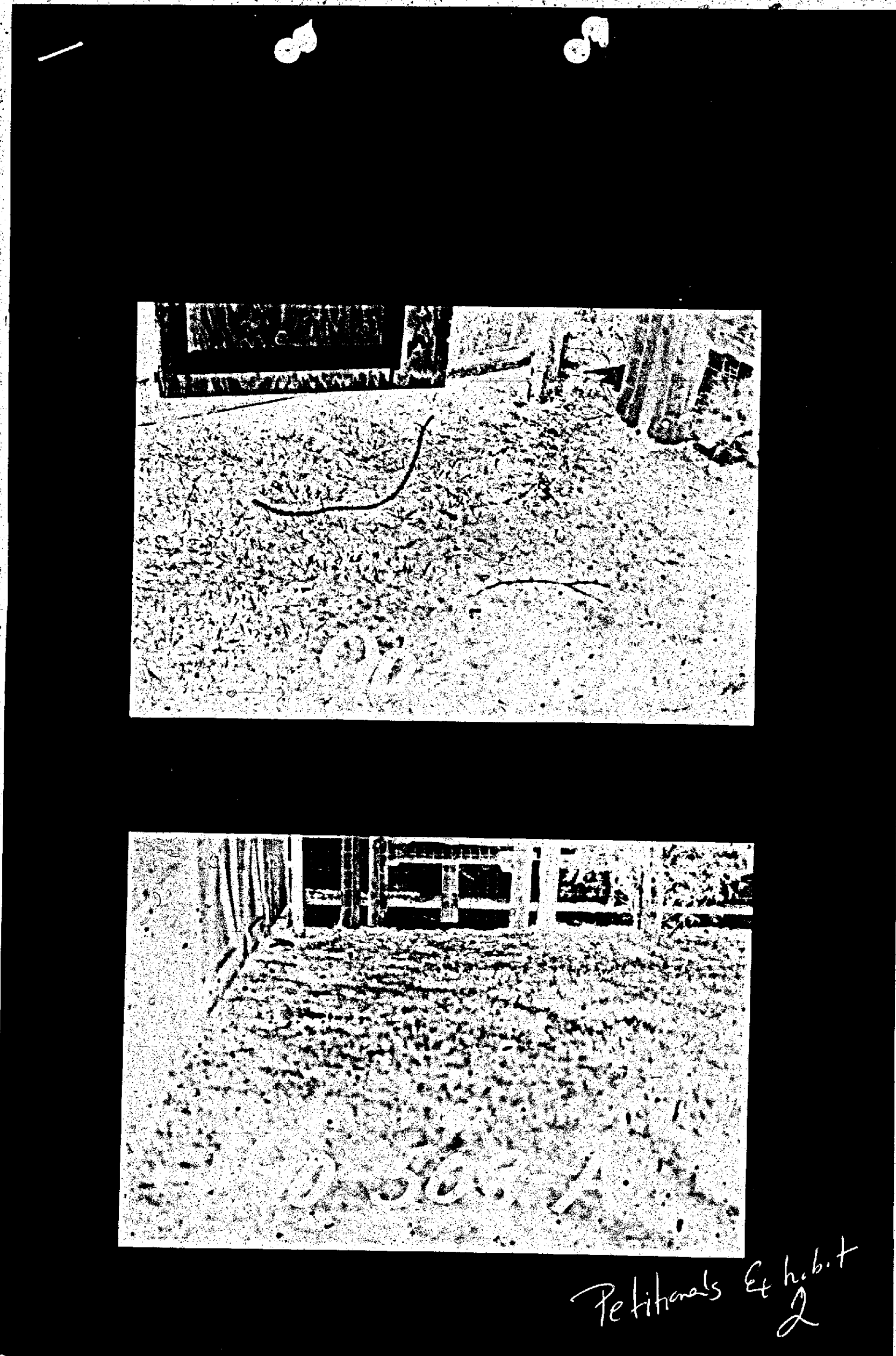
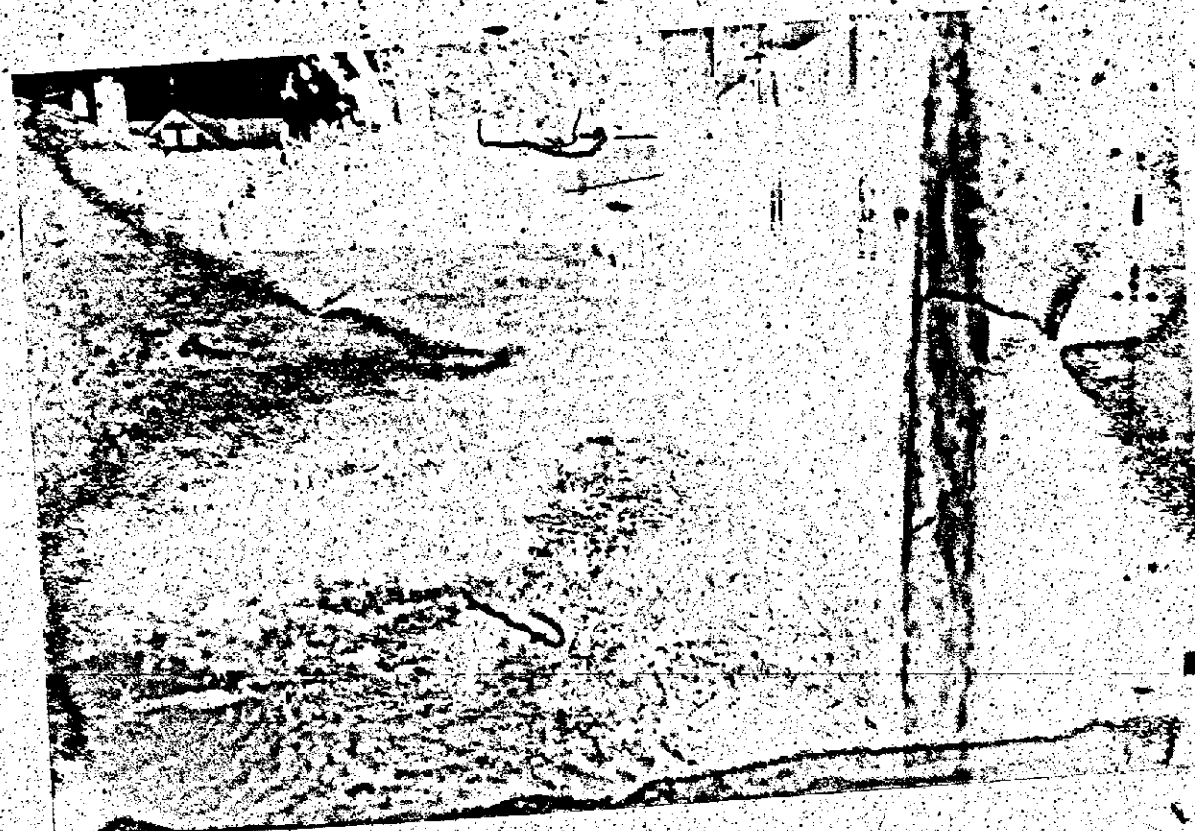
WE, THE UNDERSIGNED, DO NOT OBJECT TO THE EXISTING SHED AT 9658
DUNDAWAN ROAD. WE UNDERSTAND THE REASON FOR THIS PLACEMENT IS
BECAUSE OF AN ON-GOING WATER RUNOFF PROBLEM WHEN IT RAINS OR
SNOWS.

NAME	ADDRESS	DATE
<i>John H. Lego</i>	<i>9649 Dundawan Rd</i>	<i>2/23/91</i>
<i>Richard P. Lego</i>	<i>9649 Dundawan Rd</i>	<i>Oct 31, 90</i>
<i>Daniel C. Lego</i>	<i>9658 Dundawan Rd</i>	<i>2/23/91</i>
<i>Brendy A. Lego</i>	<i>9658 Dundawan Rd</i>	<i>2/23/91</i>
<i>Charles A. Lego</i>	<i>9658 Dundawan Rd</i>	<i>2/23/91</i>
<i>James H. Lego</i>	<i>9645 Dundawan Rd</i>	<i>2-10-91</i>
<i>Melissa A. Lego</i>	<i>9654 Dundawan Rd</i>	<i>2/23/91</i>
<i>Daniel A. Lego</i>	<i>9654 Dundawan Rd</i>	<i>2/23/91</i>
<i>Kathleen A. Lego</i>	<i>9651 Dundawan Rd</i>	<i>2/11/91</i>
<i>William A. Lego</i>	<i>4129 Glen Park Rd</i>	<i>2/11/91</i>
<i>John A. Macdonald</i>	<i>9655 Dundawan Rd</i>	<i>2/13/91</i>
<i>Betty A. Kall</i>	<i>4016 Kahlston Rd</i>	<i>2/13/91</i>
<i>John A. Kall</i>	<i>4016 Kahlston Rd</i>	<i>2/13/91</i>
<i>Mrs. Ann Kall</i>	<i>4113 Kahlston Rd</i>	<i>2/14/91</i>

90-508-A Petitioners 2



Petitioner's Exhibit 3
 90-508-A



Protestants Exhibit 2
 90-508-A

